

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

RODREGUS LEE BOYKIN,

Plaintiff

VS.

LT. PATRICK CURRY and
SGT. KENNETH BRYANT,

Defendants

NO. 5: 08-CV-224 (CAR)

**PROCEEDINGS UNDER 42 U.S.C. §1983
BEFORE THE U. S. MAGISTRATE JUDGE**

O R D E R

In accordance with provisions of the *Prison Litigation Reform Act*, a **Waiver of Reply** has been filed on behalf of defendants CURRY and BRYANT. The filing of such a waiver compels the court to review plaintiff's complaint and determine whether plaintiff has a "reasonable opportunity to prevail on the merits" of his claim(s). Upon conducting such a review, the undersigned finds that plaintiff does have a reasonable opportunity to prevail herein on the merits of his complaint against these defendants, at least to the extent that further factual and legal development is necessary.

Accordingly, IT IS ORDERED AND DIRECTED that the defendants shall **WITHIN THIRTY (30) DAYS** of receipt of this order file an answer to plaintiff's complaint and/or any dispositive motion(s) as may be permitted by the **FEDERAL RULES OF CIVIL PROCEDURE**.

SO ORDERED AND DIRECTED, this 21st day of JANUARY, 2009.



A handwritten signature in black ink that reads "Claude W. Hicks, Jr."

CLAUDE W. HICKS, JR.
UNITED STATES MAGISTRATE JUDGE